

REMARKS

With the entry of this amendment, claims 1-4 will remain pending in this patent application.

Section 112, Second Paragraph, Rejection

In the last Office Action, claims 1-4 were rejected under 35 USC § 112, second paragraph as being indefinite. Applicant respectfully traverses this rejection insofar as it might be deemed applicable to any of claims 1-4 as now presented.

In this Amendment, Applicant has amended claim 1 to call for "generally hemispherical half shells" and has deleted the "bowl-like" language that the Examiner found indefinite. Applicant has also clarified the language relating to the excess thermoplastic resin and has substituted clearer language for "remained thermoplastic resin composition." The changes to claim 1 are fully supported by the original disclosure in this application and do not introduce new matter.

Applicant trusts that the Examiner will find claims 1-4 as now presented to be fully compliant with the requirements of 35 USC § 112, second paragraph.

Prior Art Rejection I

Claim 1 was rejected under 35 USC § 102(a) as being anticipated by US 6468381 B1 (Morgan). Applicant respectfully traverses this rejection insofar as it might be deemed applicable to claim 1 as now presented.

A process for forming two-piece cores of a golf ball is illustrated in Fig. 4 of the Morgan patent. In steps 1-4, uncured cups, which may be regarded as half shells, are formed in a mold having confronting portions 101, 102 with hemispherical cavities 104, 105. In step 5, centers 13 of the balls are positioned in the cups, and the mold halves are brought together under pressure and heated to form the two-piece cores. As disclosed in column 2, line 29, and column 5, lines 24-25, the cups are formed to have a uniform thickness. In the statement of the rejection, the Examiner refers to column 10, lines 38-44, and Figs. 3 and 4 of Morgan as teaching the process recited in claim 1. Apparently, the Examiner regards the flange about the edge of the cup as the thinner "top part" recited in the claim.

Without acquiescing in the rejection, Applicant has amended claim 1 to more clearly recite novel aspects of the invention. Claim 1 now clearly identifies the half shell employed in the process as having a central part surrounded by a side part and recites the central part as having a thickness that is less than the thickness of the side part. In the specification of this application, Applicant has described how, in the claimed process, the thickness variation contributes to producing a golf ball having improved sphericity and uniformity of wall thickness. As noted above, the thickness of the cups used in the Morgan process is uniform. No fair reading of the Morgan disclosure can support a conclusion that the Morgan cups have a central part, as recited in Applicant's claim 1, that is thinner than a side part. Also, Morgan offers no disclosure that can meet the requirements of claim 1 that, in the fourth step, clamping results in outflow of excess thermoplastic resin composition from the spherical cavity. And, Morgan offers no disclosure that can meet the claimed requirements for a process that forms a cover having a nominal thickness between 0.3 and 1.0 mm.

In view of the foregoing observations, Applicant respectfully submits that the Morgan disclosure cannot properly serve as a basis for rejecting claim 1 under 35 USC § 102(b).

Prior Art Rejection II

Claims 2-4 were rejected under 35 USC § 103(a) as being unpatentable over Morgan. Applicant respectfully traverses this rejection insofar as it might be deemed applicable to any of claims 2-4 as now presented.

For reasons presented above, Applicant respectfully submits that claim 1 cannot be met by the disclosure in Morgan and that, therefore, claim 1 is allowable over the known prior art. It goes without saying that the allowability of claim 1 inheres in dependent claims 2-4.

Claims 2-4 are also patentable by virtue of limitations that they recite. The disclosure in Morgan, aside from being deficient vis-à-vis the requirements of claim 1, does not disclose or suggest the range of the thickness difference recited in claim 2, does not disclose or suggest the volume of the thermoplastic resin composition recited in claim 3 and does not disclose or suggest the low and high pressurizing steps recited in claim 4.

In the last Office Action, the Examiner dismissed the limitations recited in claims 2-4 as "a mere obvious matter of choice" or as "well known." Applicant is not aware of evidence

supporting the Examiner's assertions. Certainly there is none in the prior art of record. If the rejection of claims 2-4 is going to be maintained, Applicant hereby requests that the Examiner identify evidence supporting the "mere obvious matter of choice" and "well known" conclusions. Applicant respectfully submits that, in accordance with the guidelines stated in MPEP 2144.03 C, the Examiner is now obligated to identify that evidence.

Conclusion

In view of the observations and arguments presented herein, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections stated in the outstanding Office Action and recognize all of the pending claims as allowable.

If unresolved matters remain in this application, the Examiner is invited to contact Frederick R. Handren, Reg. No. 32,874, at the telephone number provided below, so that these matters can be resolved expeditiously.

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Respectfully submitted,

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